

MESSAGE NO: 2283307 MESSAGE DATE: 10/09/2012

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: ADRV-Administrative Review

FR CITE: 77 FR 55808 FR CITE DATE: 09/11/2012

REFERENCE 0281301
MESSAGE #
(s):

CASE #(s): A-570-851

EFFECTIVE DATE: 09/11/2012 COURT CASE #:

PERIOD OF REVIEW: 02/01/2010 TO 01/31/2011

PERIOD COVERED: 10/07/2010 TO 01/31/2011

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for certain preserved mushrooms from the People's Republic of China exported by PRC-wide entity for the period 10/07/2010 through 01/31/2011 (A-570-851-048/049)

1. For all shipments of certain preserved mushrooms from the People's Republic of China under the company case numbers listed in the company-details table appended to the bottom of this message, entered, or withdrawn from warehouse, for consumption during the period 10/07/2010 through 01/31/2011, assess an antidumping liability equal to 198.63 percent of the entered value.

The two company case numbers listed in the company-details table (048/049) were in effect as of 10/07/2010 (see message number 0281301, dated 10/08/2010). The required combinations (producer and exporter) represented by these company case numbers (048/049) were not eligible for a separate rate during the period 10/07/2010 through 01/31/2011, and are considered to have been part of the PRC-wide entity and subject to the 198.63 percent rate of the PRC-wide entity during that 10/07/2010 through 01/31/2011 period.

2. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (77 FR 55808, 09/11/2012). That administrative review covered the twelve month period 02/01/2010 through 01/31/2012, but the liquidation ordered by this message only covers a portion of that twelve month period (i.e., 10/07/2011 through 01/31/2012). Unless instructed otherwise, for all other shipments of certain preserved mushrooms from the People's Republic of China, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

3. As noted above, this message only covers entries for company case numbers A-570-851-048 and A-570-851-049, and only the period 10/07/2010 through 01/31/2011. Note that separate liquidation instructions for the PRC-wide entity that cover A-570-851-000 and certain other company case numbers, are being issued for the period 02/01/2010 through 01/31/2011.

4. There are no injunctions applicable to the entries covered by this instruction.

5. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

6. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the manufacturer, producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:SB.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

| Case # | Rate | Party Indicator* | Party ID | Party Name |
|---------------|---------|------------------|----------|---|
| A-570-851-048 | 198.63% | E | | Zhangzhou Hongda Import & Export Trading Co., Ltd. |
| A-570-851-048 | 198.63% | M | | Fujian Haishan Foods Co., Ltd. |
| A-570-851-049 | 198.63% | E | | Guangxi Hengyong Industrial & Commercial Dev. Ltd. |
| A-570-851-049 | 198.63% | M | | Hengyong Industrial & Commercial Dev. Ltd. Hengxian Food Division |